	COURT EXHIBIT
UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	
CARLOS CELLERI,	
Plaintiff,	
- against -	
DETECTIVE JOHN RODRIGUEZ,	04-CV-581 (RRM) (ETB)
DETECTIVE JAMES MIHALIK, and	
DETECTIVE THOMAS M. GRONEMAN,	
Defendants.	
MAUSKOPF, United States District Judge.	

## **VERDICT SHEET**

According to the principles of law as charged by the Court and the facts as you find them, please answer the following questions. Your answer to each question must be unanimous.

## **Section I:** Excessive Force

1. Did Carlos Celleri prove, by a preponderance of the evidence, that Detective John Rodriguez deprived him of the right to be free from the use of excessive force?

Yes \_\_\_\_

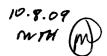
No \_\_\_\_\_

If you answered "No" to Question 1, you have entered a verdict for all of the Defendants on the Plaintiff's excessive force claim, and you should proceed to Question 5. <u>Do not</u> answer questions 2, 3, or 4A through 4C.

If you answered "Yes" to Question 1, answer Questions 2, 3, 4A through 4C, and then proceed to Question 5.

10. 8.09 m M (H)

2.	Did Carlos Celleri prove, by a preponderance of the evidence of the experimental control of the experimental contr	idence, etective	that Detective Thomas John Rodriguez, based
		Yes	
		No	
3.	Did Carlos Celleri prove, by a preponderance of the evider Defendants is responsible for the excessive force used based on the failure by one or both of those Defendants Detective Rodriguez's use of excessive force?	by Det	ective John Rodriguez,
	YES		NO
	Detective Thomas Groneman		······································
	Detective James Mihalik		
4A.	Did Carlos Celleri prove, by a preponderance of the evide that was proximately caused by the deprivation of his ri excessive force by Detective John Rodriguez, Detective Detective James Mihalik?	ight to	be free from the use of
		Yes	
		No	



4B.	If your answer to Question 4A was "Yes," what sum of money do you award to Carlos
	Celleri to fairly compensate him for any injury that was proximately caused by the
	deprivation of his right to be free from the use of excessive force by Detective John
	Rodriguez, Detective Thomas Groneman, and/or Detective James Mihalik?

\$		
ar i		
•		

4C. If your answer to Question 4A was "No," you must award nominal damages, not to exceed one dollar.

\$			
30			

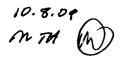
## Section II: Failure to Treat a Serious Medical Need

5. Has Carlos Celleri proven, by a preponderance of the evidence, that any of the following Defendants knew of a serious medical need of the Plaintiff and was deliberately indifferent to that need?

	YES	NO
Detective John Rodriguez		$\times$
Detective Thomas Groneman		X
Detective James Mihalik	·	$\times$

If your answer to Question 5 was "No" with regard to all three Defendants, you have entered a verdict for the Defendants on Plaintiff's claim for failure to treat a serious medical need. <u>Do not</u> answer Questions 6A through 6C.

If your answer to Question 5 was "Yes" as to one or more Defendants, proceed to Questions 6A through 6C only with respect to that Defendant or Defendants.



6A.	Did Carlos Celleri prove, by a preponderance of the evidence, that he suffered any injury that was proximately caused by the deliberate indifference of Detective John Rodriguez, Detective Thomas Groneman, and/or Detective James Mihalik to Carlos Celleri's serious medical need?
	Yes
	No
6B.	If your answer to question 6A above was "Yes," what sum of money do you award to Carlos Celleri to fairly compensate him for any injury that he suffered as a result of the deliberate indifference by Detective John Rodriguez, Detective Thomas Groneman, and/or Detective James Mihalik to Plaintiff's serious medical need?
	\$
6C.	If your answer to question 6A above was "No," you must award nominal damages, not to exceed one dollar.
	\$
	on III: Punitive Damages
You on or	are to consider punitive damages <u>only</u> against a <b>Defendant</b> who you have found liable ne or both of Plaintiff's claims.
7A.	Do you find that Carlos Celleri has proven, by a preponderance of the evidence, that punitive damages are appropriate?
	Yes
	No

m 701 W

7B.	7B. If your answer to question 7A is "Yes," then state the dollar amount of your punitive damages award.		
	Detective John Rodriguez	\$	
	Detective Thomas Groneman	\$	
	Detective James Mihalik	\$	
AND CLEI FORI	DATE THE VERDICT SHEET, AND RK IN WRITING THAT YOU H.	ICT SHEET UNTIL THE JURY RETURNS	
Signe	d:	Dated: <u>8 Oct. 2009</u>	
Ø.			
7/			